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Civilian Personnel

Family Assistance Handbook for Emergency-Essential Personnel and Family Members

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SUMMARY of CHANGE

DA PAM 690-39

Family Assistance Handbook for Emergency-Essential Personnel and Family Members

RESERVED

PREFACE

“SINCE THE COLONIAL PERIOD, SOLDIERS AND CIVILIANS HAVE SERVED OUR ARMY, OFTEN INTERCHANGEABLY. UPON ASSUMING THE RESPONSIBILITIES OF MILITARY OR CIVILIAN SERVICE, WE SHARE A COMMON PLEDGE:

‘SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AGAINST ALL ENEMIES, FOREIGN OR DOMESTIC...’ ”

DA Pamphlet 600-50

WHITE PAPER 1 APRIL 1986—LEADERSHIP MAKES
THE DIFFERENCE

RESERVED

FOREWORD

Historical events have demonstrated that Army civilians are willing to work within a war zone and serve as reliable, dedicated members of the Army team. Civilians have provided technical assistance in direct support of combat units from the time of the American Revolution through World War II, Korea, and Vietnam. In more recent years, the Army has relied increasingly on Army civilians to accomplish its mission. Today there are approximately 2,000 positions overseas that are essential for accomplishing wartime missions. These emergency–essential civilian positions support a wide range of military functions, including some vital military systems, which would be seriously degraded or fail without civilian support.

The Army's growing dependence on emergency–essential civilians to support Army's mission makes it imperative that we prepare to confront a crisis situation requiring those employees to be separated from their families.

The purpose of this publication is to help you and your family prepare for and effectively deal with problems caused by such a separation. We invite you and your family to read the handbook. It will help you in organizing your affairs and make you aware of benefits available to you and your family members.

It is important that you prepare as thoroughly as possible before an emergency because there will be little time to take care of personal affairs before you report to your assignment overseas, or before your family members are evacuated from overseas, as the case may be. During this hectic period, important matters may be forgotten or left undone.

Although there is no indication that we will be involved in a war or other hostile action now or at some specific time in the future, you must be prepared should it occur.

Civilian Personnel

Family Assistance Handbook for Emergency–Essential Personnel and Family Members

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Chapter 1

Personal Affairs

1-1. Introduction

Pre-planning is necessary to avoid many problems and to give you and your family peace of mind. The following information is designed to assist you in focusing on and minimizing your personal problems by surfacing options and alternatives available to you.

1-2. Identification and Inventory of Property

a. Each of you owns property. Some of it is particularly valuable and some merely has sentimental value. Regardless, you will want to make special arrangements to take care of it. It is important that you make arrangements for the care, use, storage, safekeeping or disposition of that property.

(1) *Personal property*. Examples of personal property include your automobile, bicycle, motorbike or motorcycle, house trailer, boat, furniture, household appliances, jewelry, bonds, stocks, cash and anything else that is not permanently affixed to the earth.

(2) *Real property*. Examples of real property include your house, land, structures, barns, cemetery plots and other fixtures and properties that are permanently affixed to or are a part of the earth.

b. Before you can take steps to care for and protect your property, we urge each of you to compile a list of all your property. You will probably be surprised at the length of this list. You know what property you have and where most of it is located. Does your family have this information? Preparing a list of your personal and real property is simply good business planning. We refer to this list as an asset inventory. Be certain to note the location, serial numbers, insurance policy numbers, amounts of insurance coverage in each policy, and any other information about your property that would be useful in your absence. For example, are there outstanding loans on your insurance policies, or is your stock pledged against loans? This list of your assets should be viewed as your map to your financial and business affairs. With this list, you, your family or your designated agent will be able to manage your assets or property more efficiently and save you time and money. A checklist of assets is something everyone should have, but when you fill an Emergency-Essential position this checklist becomes even more important.

1-3. Estate planning

a. Most people are reluctant to talk about death. Because we tend to reject the thought of death, planning for survivors is often postponed. However, proper estate planning and the execution of the necessary legal documents can ease the burden on your family.

b. When a person dies, property must pass to someone else (except for jointly held property with right of survivorship, which will be discussed later). You can control the distribution of your estate after death if you leave a valid will. If you do not leave a will, then the law of the state where you live or maintain residency will control the distribution. These laws are commonly referred to as “laws of succession” or “laws of descent and distribution.” They specify the heirs and next of kin who are entitled to receive your property, the order in which they are entitled to receive it, and the shares they are entitled to take.

c. It is not possible to list all the provisions of state and territorial laws governing the distribution of estates in this pamphlet. They vary from state to state. In some states, children receive two-thirds of the estate and the spouse one-third. In other states, the property is divided equally between the spouse and children. If you have no children your assets may be divided equally between your spouse and your parents. Some states have adopted what is known as the Uniform Probate Code which provides that under certain circumstances the surviving spouse is entitled to the first \$50,000 and one-half of the balance. An attorney can advise you of the applicable laws in your state.

d. If you leave a valid will the law treats you as having died “testate,” i.e., having left a last will and testament disposing of your property. If you do not leave a valid will, you will be “intestate,” which means that you died without a valid will and testament.

e. Intestacy may or may not be the result of poor estate planning. For some, the law of the state may provide for the kind of property distribution the individual wants and needs. For others, only a validly executed will would do. It is important that you take the time to examine your own situation and have a will prepared if you need one.

1-4. Preparation of a will

a. What is a will? The last will and testament of an individual is a legal document that directs the personal representative, executor or executrix, to distribute the deceased person’s property according to the wishes of the deceased. If you wish to make a will you should see a lawyer. One of the decisions you will have to make in preparing your will is who you wish to name as the person authorized to administer and settle your estate. The person you name is known as the personal representative or the executor, depending upon the term used in your state. This person should be someone in whom you have confidence, for it will be his or her responsibility to carry out your wishes as you express them in the will. This should be discussed with the person you intend to designate in order to make certain that person is willing to serve in that capacity. An alternate person can also be named in the event your first choice is unable to accept the responsibility.

b. In most situations, property held in joint ownership with your spouse will pass to the spouse at your death, by operation of law. For example, the deed to your house may be in both your names as joint owners with a right of survivorship vested in your spouse. Bank accounts and automobiles may also be owned jointly. In addition, your stocks and bonds may be in joint ownership with a right of survivorship in your spouse. Even if all of your property is jointly held, it does not mean that you should not explore the advantages of having a will. If you own real estate you should review your holdings with your lawyer for estate planning purposes. You want to be sure that the manner in which you hold your property will be in the best interest of your family. If you own real estate, be sure to have your property deeds as well as your checklist of assets when you meet with your lawyer to prepare your will.

c. Federal and state tax questions must also be given careful consideration in planning your estate. Depending on the value of the property, estate and inheritance taxes can reduce the amount of your estate that ultimately becomes available to your heirs. There may be ways to lessen the impact of these taxes by transferring some kinds of property to your spouse or children. However, tax questions are often highly complex and should be discussed with an expert. Each case must be evaluated on its own merits. Ask your lawyer to advise you on this subject.

d. A highly important decision you will want to make is the naming of a guardian for your minor children in the event both you and your spouse should die at the same time. Although the nominated guardian would have to be approved by the probate court, the parents' choice is approved in the vast majority of cases. You and your spouse should discuss this decision. You should also check with the person or persons you select as guardian(s) to be certain they will be willing to assume this responsibility.

e. By making a will and keeping it up-to-date, you can be sure that your estate will go to the persons you choose. Keeping your will current means that it reflects your present situation in life. Marriage, divorce, the birth of children, the acquisition of wealth or special properties of one kind or another, are important events that may require changes in your will.

1-5. Power of attorney

a. *General power of attorney.* This is a very broad grant of authority. This instrument authorizes another person to do any legal act which you might do for yourself. The general power of attorney should be used with extreme caution. It can be revoked, but this is difficult unless the instrument contains a self-executing revocation date. Therefore, the power of attorney should be effective only for the period necessary. One year is recommended.

b. *Special power of attorney.* This is the designation of another individual to act in your behalf concerning specific matters or acts described in the instrument. The use of a special power of attorney reduces the risks that are inherent in granting a general power of attorney. The special power of attorney, which is limited authority, should be used whenever it can meet your requirements. If, after reviewing your personal and business affairs, you feel a power of attorney should be considered, then discuss this with your lawyer.

1-6. Personal and business planning

As an Emergency-Essential employee, you should anticipate what would happen if you were suddenly required to be separated from your family for an undetermined period of time. Suppose you are unable to remain in continuous communication with your family or friends. You can be certain that there would be substantial legal or other changes in your life and in the lives of those you left behind. What can be done now to anticipate and prevent legal problems that might arise? You should put your property and your financial affairs in good order now so that there will be no confusion or uncertainty if you are separated from your family to fulfill your duties as an Emergency-Essential employee.

a. *Documents.* As noted previously, a complete inventory of your property and assembly of important family documents, records and papers dealing with property holdings, financial affairs, debts and important business transactions is essential for estate and business planning. You cannot plan properly unless the facts are catalogued and available. Neither can your spouse or other responsible persons carry on with your transactions and business relationships without full information. Therefore, your property list and important papers should be made available to your spouse or another person. You should see to it that the following records are available:

- Birth certificates.
- Marriage license and certificates.
- Will. (Do not place the original copy in your safe deposit box.)
- Real estate: deeds, titles, mortgages, tax receipts, insurance policies and leases.
- Automobile title, registration, insurance, policies, lien and payment book.
- Life insurance policies and medical policies.
- Stocks, bonds and other securities.
- Bank books, savings accounts, credit union accounts and loan accounts.
- Credit cards, installment contracts, debts and bills of sale.
- Federal and state income tax records, real estate and personal property tax records.
- Copy of social security cards and records.

- Military discharge and service records.
- Other records, documents and papers.

b. Document storage. These important documents should be kept in a safe, accessible place. As you obtain additional important documents, you should include them with the others. It can be extremely difficult and costly to deal with some property and economic relationships if the person left behind does not have access to the critical documents. You may want to consider renting a safe deposit box in a bank to which you and your spouse or some other trusted person would have access. These arrangements can be made with most banks. You may or may not want to share access to the box with another person, but your family or a trusted person should at least know of the existence of the safe deposit box. The original copy of your will should be maintained in a safe place other than a safe deposit box.

c. Other considerations.

(1) For most of us, real estate holdings and insurance coverage are among our most significant assets. Both need careful attention during personal planning. Make sure the title of your real property is accessible to your survivors. Your life insurance should also be reviewed with care. Family members should be informed as to coverage and beneficiaries of any life insurance policies that you hold.

(2) You should consider placing your banking accounts in the names of both yourself and your spouse or another person if you have not done so already. In most places, if your spouse (or other individual) is made a joint owner with right of survivorship, the account will be available to him or her immediately, should you die. You may have other family members for whom you will want to make separate allotments from your pay after you are in your position as an Emergency Essential employee. If so, you may want to open separate bank accounts to receive the funds. This will require the filing of signatures and allotment forms with the bank so that your family members will be able to draw against the account. This is a matter you should take care of before you are actually separated from your family.

(3) Special arrangements may have to be made for the custody of your stocks and bonds. You may want to consider dividend or interest reinvestment plans. If so, you should take such matters up with your stockbroker or other financial advisor. If you have some continuing obligation that must be paid periodically, you may want to establish a special trust or account for that purpose and arrange automatic payments through your bank.

(4) If you are involved in an outside business, you should make your business associates aware of your role as an Emergency–Essential employee and advise them of the possibility of your mobilization. Businesses such as closely held corporations, partnerships and joint ventures do not have to cease. Authorizations can be given to an associate to carry on and act for the entire group in the event your duties as an Emergency–Essential employee take you away. Plans should be made now for sharing or not sharing business profits that accrue during your special duty. If desired, plans can be made for purchase of your shares of stock or partnership interest in the event of your death. Such arrangements can assure the continuation of the business despite the loss of a business associate. This planning of your business affairs and the drafting of appropriate legal documents to carry out these plans are matters for the attorneys representing the business. You should consult with your own attorney regarding these matters. Wise planning of your business affairs will permit you to focus on your Emergency–Essential duties and avoid worry about private business matters.

(5) Be sure your Official Personnel Folder contains a record of emergency data. It is important that this information be current. It should include the names and addresses of all persons to be notified if you become a casualty, as well as a designation of beneficiaries for certain benefits if you die. It is your responsibility to keep your record of emergency data current.

(6) Tell your family about Government benefits and their entitlements should you die. Be certain you advise your spouse or family that they can receive assistance from the nearest military installation civilian personnel office. A section of this handbook is devoted to this kind of information.

1–7. Personal problems

If you have an unresolved personal problem such as a pending divorce or separation action, undecided alimony or child support, child custody, adoption questions, naturalization, property settlement or similar problems, you should see a lawyer before departing for a distant assignment. It is important to resolve such matters while you are at home and can attend them personally rather than leave them for others who may be less interested in an equitable resolution.

Chapter 2

Evacuation of family members

2-1. Introduction

In the event of mobilization or hostilities, Emergency Essential employees will not be evacuated from a hostile area. This is consistent with the statement these employees sign, agreeing to remain in a hostile area during mobilization or other emergency. So, it is important for spouses, minor children and guardians of minor children to be familiar with evacuation procedures, since they will not be accompanied by their sponsors.

2-2. Evacuation procedures

a. There are some factors you will not need to be aware of in connection with evacuation procedures. At the onset of a crisis situation evacuation orders are given by the Commander-in-Chief (CINC) or a designated senior commander when the State Department, in coordination with the Department of Defense determines that the country's political and security environment has deteriorated and events either have occurred or could occur which threaten United States personnel or installation and that it might be prudent for family members and non-essential personnel to depart. Evacuees may be moved to a safe haven pending return to the oversea location, or they may be evacuated to the United States. A safe haven is an intermediate location from the site evacuated, but not as distant as the United States. As the term implies, a safe haven is sufficiently remote from the danger zone from which evacuated to reduce the threat of danger to the evacuees. The order to evacuate will indicate whether evacuation is to safe haven or to the United States. Family members of Emergency-Essential employees have the same evacuation priority as other evacuees.

b. Emergency-Essential employees should already have signed a DA Form 3358-R (Authorization for Emergency Evacuation Advance and Allotment Payments). This form should be retained by an adult family member or a designated representative, and must be renewed annually. The Civilian Personnel Office that in-processes you for your overseas assignment should give you the DA Form 3358-R.

c. Upon arrival at the safe haven or in the United States, evacuees should report to the nearest disbursing office, preferably at a DOD installation. The information which the disbursing office will need includes: date of evacuation order, date of arrival at the safe haven or in the United States, the name of the civilian sponsor, and the sponsor's post of duty.

d. During an evacuation, especially to a safe haven with which the evacuee may not be familiar, it is wise to remain in groups and not attempt to break off on one's own. This is because necessary information, subsistence, medical treatment, and child care can best be provided to groups rather than to isolated individuals. Also, it is easier for officials to know the whereabouts of evacuees who remain in groups. Special evacuation assistance may be obtained at installation Community Support and Family Assistance Offices.

2-3. Transportation entitlements

a. All transportation associated with an evacuation is at government expense. This includes movement of family members and household goods from the employee's oversea duty location to the place of residence in the United States or to another place designated at the time of evacuation. If the employee is later assigned to an area where family members are authorized, movement of family members and household goods to the new location may be at government expense.

b. Some employees will be assigned from the United States to fill Emergency-Essential positions overseas after family members are no longer allowed to accompany them because of adverse conditions. In such cases, transportation of family members and household goods at government expense to an alternate location may be authorized.

Chapter 3

Survivor annuities

3-1. Introduction

Emergency-Essential employees are assigned to positions that are covered under the Civil Service Retirement System. Some employees are also eligible for retirement benefits under the Social Security System or other retirement systems. In the event that an employee covered by one or more of those retirement systems dies before retiring, the survivors are eligible in most cases, to receive annuity benefits.

3-2. Civil Service Retirement System

a. The Civil Service Retirement System provides a survivor annuity benefit, which is payable in monthly installments. It also provides a lump sum benefit for accrued annual leave, which is paid only once. Under certain conditions, a survivor annuity may be payable to the surviving spouse and children of a deceased employee; in the case of a widow, widower or other unmarried employee, it may be payable to a person having an insurable interest. A deceased employee must have completed at least 18 months of civilian service; and at time of death must have held a position subject to the retirement system. In addition, the widow or widower must have been married to the employee for at least 1 year immediately before the employee's death or, if married less than 1 year, be the parent of a legally recognized child. Children must also meet certain criteria to be eligible for a survivor annuity. The child must be unmarried and under age 18. However, an unmarried child who is 18 or over and is incapable of self-support because of a physical or mental disability that began before age 18 may be eligible. An unmarried child who is a student between ages 18 and 21 may also be eligible. A "student" is a child who is not over 21 years of age and who is in regular full-time attendance at a high school, trade school, technical or vocational institute, junior college, college, university or comparable recognized educational institution. A student-child whose 22nd birthday falls during the school year (September 1 through June 30) is not considered to have reached age 22 until the following July 1st. A legally adopted child is also eligible if the conditions stated above are met. So is a stepchild or any other legally recognized child.

b. The widow or widower (or other designated beneficiary) of a deceased employee will receive survivor annuity of 55 percent of the annuity which the deceased employee had earned at the time of death. This earned annuity of the deceased employee is computed in the same way as if the employee had retired, but without reduction for being under age 55, and without any increase for voluntary contributions. However, the law guarantees a minimum annuity of 55 percent or the smaller of:

- (1) Forty percent of the deceased employee's high-3 average pay; or
- (2) The regular annuity obtained after increasing the deceased employee's service by the period of time between the date of death and the date the employee would have reached age 60.

c. The amount received as survivor annuity by each child depends on whether the deceased employee is survived by a spouse. If a spouse survives, each eligible child will receive whichever of the following 3 yearly amounts is the least:

- (1) Sixty percent of the employee's high-3 average pay divided by the number of eligible children;
- (2) \$1,730; or
- (3) \$5,189 divided by the number of eligible children.

Note. These amounts change with each cost-of-living increase.

d. If a spouse does not survive the deceased employee, each eligible child or other designated beneficiary will receive whichever of these yearly amounts is the least:

- (1) Seventy-five percent of the employee's high-3 average pay divided by the number of eligible children;
- (2) \$2,079; or
- (3) \$6,227 divided by the number of eligible children.

e. There is a minimum monthly survivor annuity benefit which cannot be less than the minimum social security primary insurance amount. A survivor annuity will not be subject to this minimum if the person is entitled to any other periodic payment from the Government that equals or exceeds the primary insurance amount then in effect. A child, however, will be entitled to the lesser of: the social security primary insurance amount or; three times that amount divided by the number of children in a family entitled to the annuity. This minimum monthly survivor annuity rate will change to reflect any future changes in the social security primary insurance amount.

f. A surviving child's annuity is payment in addition to the widow's or widower's annuity. For example, if a deceased employee is survived by a widow and three children, all of whom are eligible to receive survivor annuities, this benefit would be paid for all four survivors. Should the widow or widower die, children still drawing annuity will have payments increased as though the employee had not been survived by a spouse. When the annuity to any one child stops, the other children's annuities are recomputed as though the one child had never been eligible. In some cases this will increase the annuities to the other eligible children.

g. Eligibility for survivor annuity to a widow or widower or other designated beneficiary of a deceased employee will begin 1 day after the employee dies. Processing time usually requires 6 weeks to 3 months. Therefore, your plans

should include having other funds available during the waiting period. The annuity will continue until the end of the month before the one in which the widow or widower dies or remarries before age 60. The annuity which is terminated because of remarriage before age 60 may be restored if the remarriage is later terminated by death, annulment or divorce and if the widow and widower pays back the lump sum benefit, if any, that was paid upon termination of the annuity. A child will receive the survivor annuity until the end of the month before the one in which the child marries, dies or reaches age 18, except in the following cases:

(1) Payment to a child age 18 or over who is incapable of self-support because of disability which began before age 18, stops at the end of the month before the one in which he or she marries, dies or becomes capable of self support.

(2) A student-child's annuity stops at the end of the month before the one in which he or she marries, dies or ceases to be a student, or reaches age 22, whichever occurs first. A child's annuity, terminated when the child ceased to be a student may be resumed if the child again becomes a student. A student-child, however, retains the annuity during nonschool intervals of not over 5 months between school years or terms if he or she shows clear intention to continue as a full-time student at the same or a different school.

h. A lump sum benefit is payable immediately to any designated beneficiary if the deceased employee had less than 18 months of civilian service, or if the employee leaves no widow or widower or children who are eligible for a survivor annuity. The lump sum benefit consists of the amount paid into the Civil Service Retirement and Disability Fund by the employee, plus any accrued interest, plus unpaid compensation.

i. Public Law 98-21 (the Social Security Amendments of 1983) extended social security coverage to these new groups of civil service employees:

(1) Persons first appointed to Federal service on or after 1 January 1984;

(2) Former Federal employees who return to government employment on or after 1 January 1984, after a break in service of more than 365 consecutive days. The Office of Personnel Management is developing regulations and guidelines implementing these provisions. Employees in this category are paying into both the Civil Service Retirement System and the Social Security System.

3-3. Social security

a. Although an Emergency-Essential employee may be paying only into the Civil Service Retirement System, he or she may have other work experience that entitles him or her to social security benefits. Therefore, you may be a potential recipient of a survivor annuity through the Social Security System. Payments to a surviving or divorced spouse may be affected if they receive a government pension based on their own earnings from employment not covered by social security. If, as a survivor annuitant under social security, you begin to receive a government pension or annuity from the Federal Government or any state or political subdivision of a state, you should notify the nearest social security office, informing them that you are receiving the pension or annuity and report the amount. The preceding is equally applicable if the employee has contributed both to Social Security and the Civil Service Retirement System.

b. Divorce or annulment. A wife's or husband's social security check usually stops the month the divorce decree or annulment becomes final. However, if you are 62 or older and were married to the employee for 10 years or more, your checks will continue to be sent. In any case, you should notify your nearest social security office of the changed marital status.

c. Marriage. Social security checks continue if a widow, widower or surviving divorced spouse 60 or older marries. Except for special circumstances, benefits for the following persons end if they marry: a widowed mother or father under 65; surviving divorced mother or father, child, including disabled adult child; parent; or divorced spouse. Benefits for a widow or divorced spouse may be started again if the remarriage ends. If you marry and are entitled to continue receiving a check, you should notify the nearest social security office if the marriage changes your name.

d. Child leaves the care of a parent. If you get benefits because you are caring for a son or daughter who is under 16 or who was disabled before 22, you should advise the social security office if the child leaves your care. This does not apply to temporary separation, but to cases where the child ceases to be your responsibility. If the child returns to your care, the social security checks may be resumed.

e. Managing funds. Not everyone who gets social security checks can manage funds. A parent, or some other person, usually gets checks for a child under 18. Sometimes an older person becomes unable to manage funds. When this happens, the person who takes care of the older person should notify the social security office. Arrangements can be made to send checks to a relative or other person. Such a person is known as a representative payee.

f. Death of a person receiving benefits. If a person who gets social security benefits dies, a check is not payable for the month of death. That means if the person died any time in April, for example, the check dated in May (which is payment for April) should be returned unless the check is made out jointly to a husband or wife. In that case, the survivor should ask at a social security office whether to cash the check. If the person's check is being deposited directly in a financial institution, the financial institution should also be notified of the death as soon as possible. This will permit the institution to return any payments received after death.

3-4. Election—civil service annuity or social security benefits

Survivors who are eligible for both Social Security benefits and civil service annuity that is based in part on military service performed by the employee between 16 September 1940 and 31 December 1956 may elect to have the military service credited toward the social security benefit. The survivors should apply for both benefits, ask the Office of Personnel Management and the Social Security Administration for statements showing the amount of each benefit, and then make their election of where to credit the military service. Survivors should be aware that if social security benefits are elected, the rights of all survivors to a Civil Service annuity are terminated.

3-5. Other survivor annuity benefits

Survivor annuities of a commercial or other nongovernment nature should not affect or be affected by Civil Service survivor annuity benefits. For details, you should write the source of the commercial or nongovernment annuity.

Chapter 4

Allowances, benefits, and other entitlements

4-1. Introduction

We have already discussed, in chapter 3, one of the principal benefits (survivor annuities) of interest to Emergency–Essential employees and their family members. There are a number of other benefits, entitlements, and allowances that are applicable to Emergency Essential employees and their families. We will cover them in this chapter.

4-2. Separate maintenance allowance

a. Separate Maintenance Allowance (SMA) is an allowance to assist a Federal employee required or authorized to maintain spouse and children in a separate household while serving in an overseas location. Conditions warranting SMA include:

- (1) Dangerous living conditions.
- (2) Significantly unhealthful conditions.
- (3) Excessively adverse conditions, including climate, lack of medical facilities and chronic lack of housing,
- (4) Family hardship, such as special medical needs of a family member or special schooling needs of a family member.

b. The grant of SMA begins when the employee commences travel to a foreign post or when family members depart from a foreign post for one of the above reasons. The grant of SMA continues while the employee is overseas maintaining a separate household under the prescribed conditions. The SMA terminates when the employee transfers to a new location for which the SMA is not authorized, upon arrival of the family member or members at the duty station, or when the employee is separated from the service.

4-3. Foreign post differential

In addition to basic pay, an employee stationed or on extended detail overseas may be entitled to a foreign post differential, not to exceed 25 percent of the rate of basic pay, for service in a foreign area where conditions of environment differ substantially from those in CONUS. The rate is set by the State Department and is contingent on the employee being in the foreign area for a specified period of time. Entitlement to the differential goes into effect after 42 days in the foreign area.

4-4. Danger pay allowance

An employee serving in a foreign area may be granted a danger pay allowance on the basis of wartime conditions in the area. A danger pay allowance may not exceed 25 percent of the basic pay of the employee. The authority to commence this allowance, and the rate to be authorized, are set by the State Department.

4-5. Pay while missing in action

a. If an employee is in a “missing status,” the employee’s pay and allowance continue. “Missing status” is defined as “missing in action; interned in a foreign country; captured, beleaguered, or besieged by a hostile force; or detained in a foreign country against (an employee’s) will.” Thus, an employee who becomes a “prisoner of war” or is otherwise missing, as defined above, is entitled to receive or have credited the same pay and allowance to which entitled at the time declared missing, and to which the employee may become entitled thereafter (for example, within-grade increases).

b. A missing employee is also entitled to payment for annual leave that is forfeited because of the inability to use it by virtue of the missing status; or to have all of that leave restored and credited.

c. Pay and allowances continue until it is determined by the head of the agency concerned that a missing employee is dead.

d. Disability or death suffered by an employee overseas during or as a result of capture, detention or other restraint by a hostile force or individual is deemed to have resulted from personal injury sustained while in the performance of duty, whether the employee was actually working on the job at the time taken by the hostile force or individual. Thus, injury or death occurring during capture or while in captivity would be compensable under the Federal Employees Compensation Act (FECA), often referred to as “workers compensation.”

4-6. Life insurance

Most civilian employees are covered by Federal Employees Group Life Insurance (FEGLI). The only provision of FEGLI that is affected by a “war clause” is Accidental Death and Dismemberment (AD&D) insurance. AD&D insurance benefits, which increase the amount of insurance payable under Basic Life and under Option A–Standard if death is caused by violent, external and accidental means (double–indemnity), are not payable if death is caused by an act of war. All other FEGLI basic and optional benefits are payable, *no matter how death was caused*.

4-7. Medical treatment during hostilities

Medical treatment of Emergency–Essential employees injured overseas during hostilities will be provided at military

medical treatment facilities. Such treatment will be given on a priority basis equal to that received by active duty military personnel. Post-emergency medical care and treatment of injuries sustained overseas in combat situations are completely covered under provisions of the FECA.

4-8. Compensation for disability or death

a. Compensation for disability or death resulting from injuries sustained overseas in combat situations is also covered by FECA. Such injuries are considered to have been sustained on-the-job, even if the injury occurs during off-duty hours or off-post.

b. The following examples compare FECA death benefits and compensation for dismemberment with the FEGLI AD&D insurance benefits that would be lost due to the "war clause" mentioned in paragraph 4-6:

(1) FEGLI AD&D insurance benefits payable for the non war-related accidental death of an employee whose annual salary is \$36,000 would be \$48,000 (Basic Life plus Option A-Standard). If the same death occurred overseas in a combat situation, the employee's beneficiaries would not receive that \$48,000. His or her spouse, however, would receive \$1,500 per month under FECA, until the spouse dies or remarries before reaching age 60. (The total monthly amount if there were eligible children could reach a maximum of \$2,200.) In this example, the total FECA death benefits payable to a spouse who was widowed at age 40, had no eligible children, did not remarry, and died at age 75 would be \$630,000. (The amount paid under FECA would be in addition to any insurance benefits paid under FEGLI non AD&D, which could amount to as much as \$238,000, depending on coverage.)

(2) FEGLI AD&D insurance benefits payable to the same employee for the non war-related accidental loss of an arm would be \$19,000. If the same injury occurred overseas in a combat situation, the employee would not receive that \$19,000, but would receive a total of \$144,072 (\$461.77 per week for 312 weeks) under FECA, in addition to compensation for lost wages.

4-9. Reemployment rights

a. As the family member of an Emergency-Essential employee, you should be aware of some of the requirements and entitlements of overseas employees with regard to reemployment in the United States following the overseas tour of duty. A tour of duty in an overseas location is for a specific term. An initial tour of duty in Europe, for example, is 3 years. This may be voluntarily extended for 2 years or longer. A tour of duty in Korea is 2 years (1 year unaccompanied). Tours at locations where remoteness or lack of housing cause them to be designated as "unaccompanied" tours (no family members) may be for 1 year. The assignment of Emergency Essential employees to overseas locations is usually geared to the established term of a tour of duty in a particular overseas area.

b. Reemployment. Department of the Army civilian employees who are assigned overseas have reemployment rights to their previous job or equivalent in the United States if they were recruited in the continental United States. When the overseas move includes promotion to a higher graded job, many employees do not wish to return to the previous job at a lower grade. In those cases, the Department of Army assists them in an effort to find another job, perhaps in another location in the United States, at the higher grade. Employees who are participants in a mobility program, such as the Logistics Assistance Program or Quality Assurance Specialist (Ammunition Surveillance) career program, do not face these problems. Their assignments are governed by the provisions of a worldwide mobility agreement. When such an employee is promoted in an overseas assignment, rotational reassignment to the United States will be at the higher grade. Overseas Civilian Personnel Offices will provide assistance through counseling and, if appropriate, completion of paperwork for registration in the Department of Defense Priority Placement Program.

4-10. Employment of family members

Army activities overseas are interested in assisting family members in finding employment with the Army. Family members who are interested in employment should review their qualifications and experience, consider the kind of employment they desire, complete a Standard form 171 (Application for Federal Employment) and submit it to the servicing Civilian Personnel Office overseas. When a spouse or other family member who is employed overseas under the Family Member Employment Program returns to the United States under peacetime or crisis evacuation conditions, special efforts will be made by Civilian Personnel Offices to find employment for the family member at the new location. Department family members may facilitate the Federal employment process by securing documentation verifying overseas employment prior to leaving the overseas area. This documentation should be provided by the employing Civilian Personnel Office.

4-11. Veterans preference

a. The widow or widower of a deceased Emergency Essential (or other) employee who was also a veteran may have "ten-point (widow or widower)" preference, based on the veteran's service, for purpose of seeking employment in the civil service.

b. Entitlement to this ten-point preference is based on the following conditions:

- (1) He or she was not divorced from the veteran.
- (2) He or she has not remarried, or the remarriage was annulled.
- (3) The veteran?

- (a) Served during a war.
- (b) Served during the period 28 April 1952 through 1 July 1955.
- (c) Served in a campaign or expedition for which a campaign badge has been authorized.
- c. For further information concerning this type of veterans preference, you should seek assistance from a Department of Defense installation Civilian Personnel Office, a Regional or Area Office of the Office of Personnel Management, or the local office of the Veterans Administration.

4-12. Questions

If you have questions regarding employment, entitlements and benefits, evacuation procedures, or other issues addressed in this document you should contact your servicing Civilian Personnel Office for an explanation.

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